

ORDINANCE NO. 3090

196

AN ORDINANCE ANNEXING APPROXIMATELY 20.221 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibit A of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibit A is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City upon compliance with procedures required in Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands where necessary; and

WHEREAS, the lands to be annexed are contiguous to the City and the City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, the lands to be annexed are shown the Comprehensive Plan Map as "Low Density Residential" and "Higher Density Residential" and;

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

REC'D OCT 31 2016

1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;

2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and

3) Annexation of the lands described in Exhibit A and C are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the City Council that the lands described hereinbelow in Exhibit A of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as "Low Density Residential"; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, as follows:

SECTION 1. Annexation of Property. The lands described in Exhibit A are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Assigning a Comprehensive Plan Map Designation. The area being annexed is hereby assigned a Comprehensive Plan Map Designation of "Low Density Residential."

SECTION 3. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 4. Findings. That the findings contained in the recitals of this Ordinance be, and the same are hereby, adopted as the official City Council findings for this Ordinance, and that any


further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 5. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.


SECTION 6. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 8 day of SEPTEMBER, 2016.

  
\_\_\_\_\_  
Rebecca L. Noah Casper, Mayor

ATTEST:

  
\_\_\_\_\_  
Kathy Hampton, City Clerk



)  
: ss.  
)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled:

ORDINANCE - DARCY STEWART - ANNEXATION

PAGE 3 OF 4

"AN ORDINANCE ANNEXING APPROXIMATELY 20.221 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

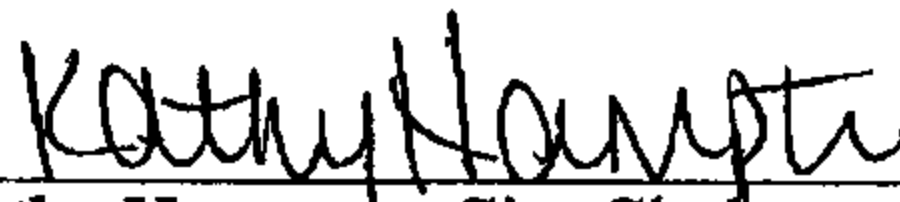
  
Kathy Hampton, City Clerk



EXHIBIT A

LEGAL DESCRIPTION

Commencing at the North 1/4 corner of Section 4, Township 1 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; running thence S.00°10'31"W. along the North-South Center Section line 1690.37 feet to the centerline of Sand Creek, said point being the TRUE POINT OF BEGINNING; running thence S.72°50'49"W. along said centerline 264.12 feet; thence S.71°05'00"W. along said centerline 860.30 feet; thence S.17°06'04"W. along said centerline 620.39 feet to the East-West Center Section Line of said Section 4; thence S.89°50'15"E. along said East-West Center Section line 1245.73 feet to the Center 1/4 corner of said Section 4; thence N.00°10'31"E. along the North-South Center Section line 953.30 feet to the TRUE POINT OF BEGINNING.

CONTAINING: 880,839 Sq. Ft or 20.221 acres.

Submitted by:

Eng/Survey Firm Name: Ellsworth & Associates

Contact Name: Steve Ellsworth

Phone Number: 522-5414

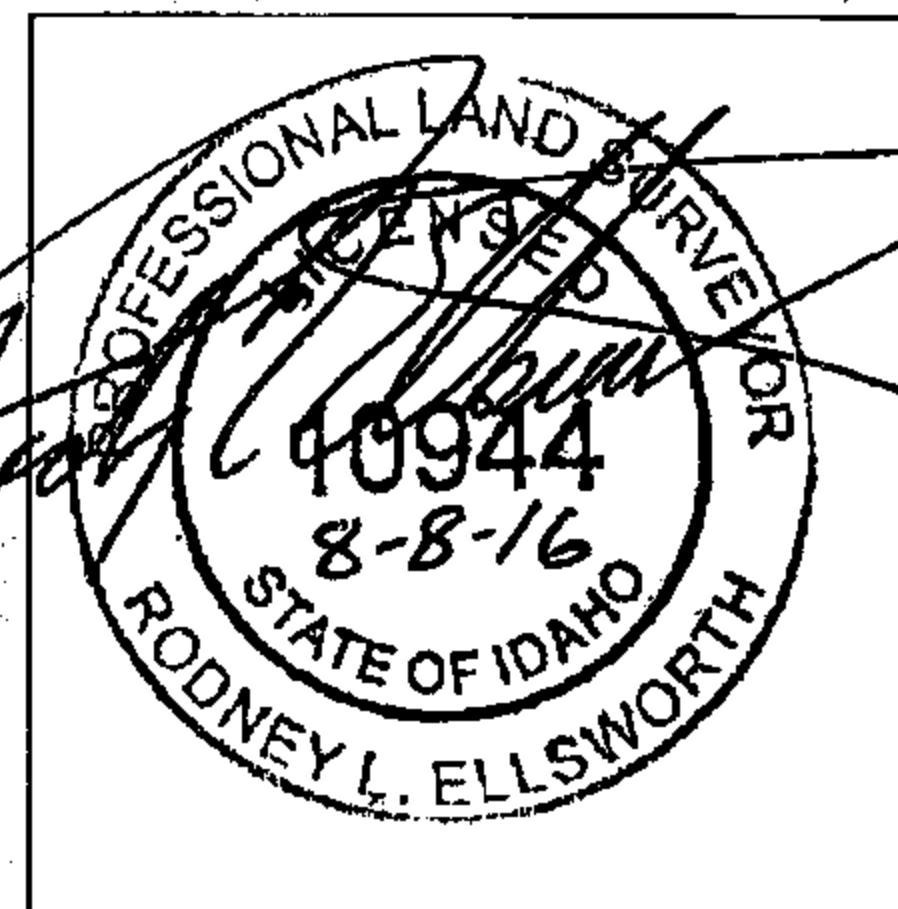
Email: Sellsworth@ida.net

Page \_\_\_\_ of \_\_\_\_

ORIGINAL

Application for Vacation

PLS Seal



2/2416

# CITY OF IDAHO FALLS

## BONNEVILLE COUNTY

PART OF THE NW 1/4, SEC. 4, T. 1 N., R. 38 E. B.M.

CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

ANNEXATION  
ORDINANCE  
#

### BOUNDARY DESCRIPTION

Commencing at the North 1/4 corner of Section 4, Township 1 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho; running thence S.00°10'31"W. along the North-South Center Section line 1690.37 feet to the centerline of Sand Creek, said point being the TRUE POINT OF BEGINNING; running thence S.72°50'49"W. along said centerline 264.12 feet; thence S.71°05'00"W. along said centerline 860.30 feet; thence S.17°06'04"W. along said centerline 620.39 feet to the East-West

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C  
K  
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B  
L  
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SAND CREEK

S.00°09'22"W. 2634.93'

CITY OF IDAHO FALLS

ANNEXATION <b>DARCY STEWART</b>		Job No. <b>1250</b>
PART OF NW 1/4, SEC. 4, T. 1 N., R. 38 E. B.M. BONNEVILLE COUNTY, IDAHO		Sht. 1 of 3
Scale: 1" = 300'	Date: JUNE 2016	<b>EA</b> Ellsworth & Associates PLLC
Drawn By: S.D.E.	Cadfile: ANNEXATION	
208 522 6414	Fax 208 523 2614	
253 1st Street, Idaho Falls, ID. 83401		

ORIGINAL

# CITY OF IDAHO FALLS

## BONNEVILLE COUNTY

PART OF THE NW 1/4, SEC. 4, T. 1 N., R. 38 E. B.M

CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

ANNEXATION  
ORDINANCE  
# 3090

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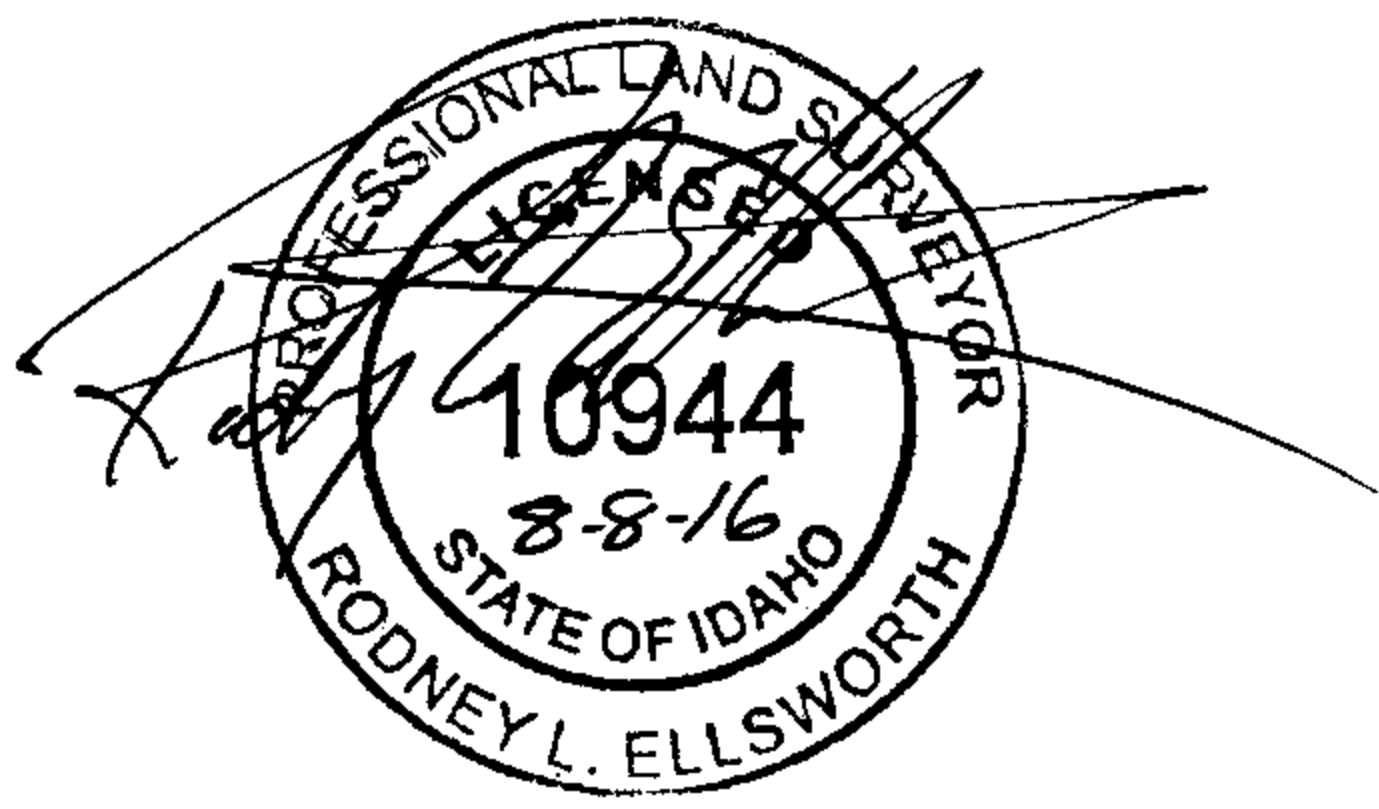
RECORDED WITH THE BONNEVILLE COUNTY

RECORDERS OFFICE AS INSTRUMENT NO. 1534391

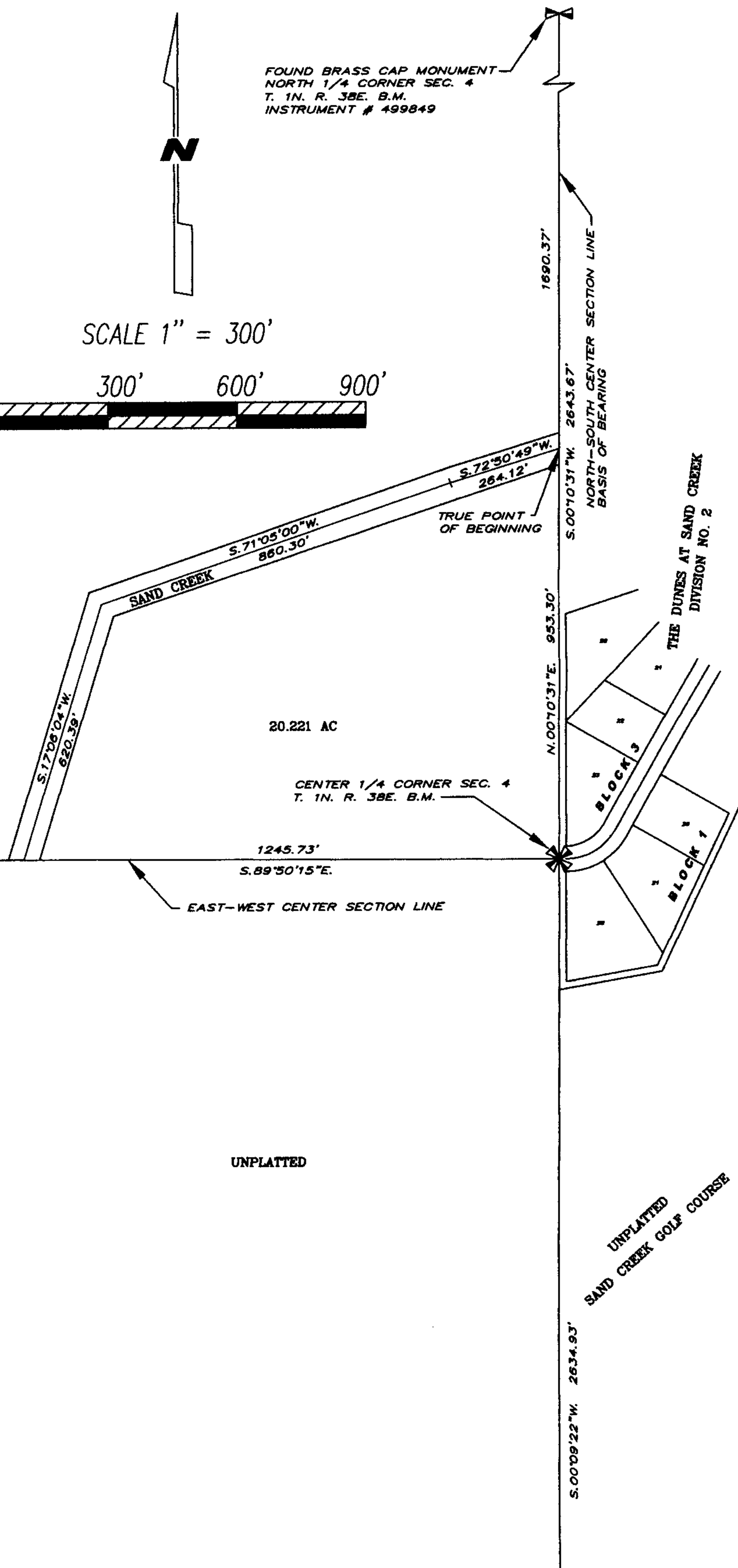


FOUND BRASS CAP MONUMENT  
NORTH 1/4 CORNER SEC. 4  
T. 1N. R. 38E. B.M.  
INSTRUMENT # 499849

SCALE 1" = 300'



WEST 1/4 CORNER SEC. 4  
T. 1N. R. 38E. B.M.  
INSTRUMENT # 578969



S. 15TH E. (ST. CLAIR RD)

1

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B L O C K 1

SAND CREEK DUNES  
DIVISION NO. 1  
(BONNEVILLE COUNTY)

UNPLATTED

UNPLATTED  
SAND CREEK GOLF COURSE

CITY OF IDAHO FALLS

ANNEXATION <b>DARCY STEWART</b> PART OF NW 1/4, SEC. 4, T. 1 N., R. 38 E. B.M. BONNEVILLE COUNTY, IDAHO		Job No. <b>1250</b> Sht. 1 of 1
Scale: 1" = 300'	Date: JUNE, 2016	Ellsworth & Associates PLLC
Drawn By: S.D.E.	Caddie: ANNEXATION	
208 522 5414 253 1st Street,	Fax 208 523 2614 Idaho Falls, ID. 83401	